

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMTAX HOLDINGS 260, LLC, an Ohio
limited liability company, AMTAX
HOLDINGS 114, LLC, an Ohio limited
liability company, and ALDEN TORCH
FINANCIAL LLC, a Delaware limited liability
company,

Plaintiffs,

v.

WASHINGTON STATE HOUSING
FINANCE COMMISSION, a public body
Corporate and politic of the State of
Washington, BILL RUMPF, an individual,
LISA J. BROWN, an individual, DIANE
KLONTZ, an individual, DUANE
DAVIDSON, an individual, JASON
RICHTER, an individual, RICH NAFZIGER,
an individual, ALBERT TRIPP, an individual,
RANDY ROBINSON, an individual, ALISHIA
TOPPER, an individual, LOWEL KRUEGER,
an individual, KEN A. LARSEN, an individual,
and WENDY L. LAWRENCE, an individual,

Defendants.

No. 2:20-cv-01698-BJR

DECLARATION OF TAKI FLEVARIS
IN SUPPORT OF MOTION FOR
EXTENSION OF TIME

1 I, Taki Flevaris, declare as follows:

2 1. I am a partner at Pacifica Law Group LLP and represent the Washington State
3 Housing Finance Commission (the “Commission”) in this matter. I am over 18 and make this
4 declaration based on personal knowledge.

5 2. On December 14 and 18, 2020, I conferred with counsel for Plaintiffs Alden Torch
6 Financial LLC, Amtax Holdings 260, LLC, and Amtax Holdings 114, LLC (together, “Alden
7 Torch”) about a two-month extension of the deadline to answer the Complaint due to the
8 Commission’s pending revisions to the investor partner transfer policy that Alden Torch
9 challenges in this lawsuit. I explained that the extension would allow sufficient time either for
10 Alden Torch to consider amending or withdrawing the Complaint in light of the policy changes or
11 for the Commission to move to dismiss the Complaint as planned, and would at least help avoid
12 duplicative motions practice over the validity of Alden Torch’s claims. Alden Torch’s counsel
13 indicated that his client would oppose the extension motion, but did not identify any prejudice that
14 the extension would cause. Instead, he explained that Alden Torch opposes the motion because it
15 believes it is owed a response to the Complaint now. He also speculated that the forthcoming
16 policy revisions would not resolve Alden Torch’s claims in this lawsuit. This exchange with Alden
17 Torch’s counsel is also reflected in written correspondence, which is attached as Exhibit E to this
18 declaration.
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22 3. Attached as **Exhibit A** is a true and correct copy of the Commission’s September
23 2019 report titled “Nonprofit Transfer Disputes in the Low Income Housing Tax Credit Program:
24 An Emerging Threat to Affordable Housing.” This report is available on the Commission’s website
25 at <http://www.wshfc.org/admin/Reporton15YearTransferDisputes.pdf>.
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of January, 2021, I electronically filed the foregoing document with the Court ECF system, which will send notification of such filing to all counsel of record.

Dated this 4th day of January, 2021.

s/ Thien Tran
Thien Tran, Paralegal/Legal Assistant